



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/804,853
Applicant : Cricket Lee
Filed : March 19, 2004
Title : SYSTEMS AND METHODS FOR IMPROVED APPAREL FIT
Art Unit : 3765
Examiner : Not Yet Assigned
Confirmation No. : 7444

RESPONSE TO NOTICE TO FILE MISSING PARTS

Office of Initial Patent Examination's
Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find enclosed a copy of the Notice to File Missing Parts mailed June 3, 2004 along with the required Declaration and Power of Attorney for the above-referenced matter. Additionally, please find enclosed a Petition and Fee for Extension of Time (37 CFR 1.136(a)).

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 07-0153, Gardere Wynne Sewell LLP.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

Date: Aug. 25, 2004
Gardere Wynne Sewell LLP
Intellectual Property
1601 Elm Street, #3000
Dallas, Texas 75201
Telephone: (214) 999-4330
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Monique A. Vander Molen
Monique A. Vander Molen
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ATTORNEY FOR APPLICANT

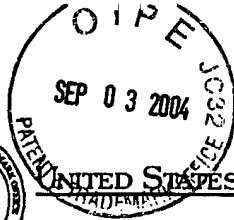
CERTIFICATION OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450:

Kelli A. Ivey (Typed name of person faxing paper)

Kelli A. Ivey (Signature of person faxing paper)

Date: 8-31-04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,853	03/19/2004	Cricket Lee	128521-1000

CONFIRMATION NO. 7444

FORMALITIES LETTER



OC000000012852399

KENNETH R. GLASER
 MONIQUE A. VANDER MOLEN
 GARDERE WYNNE SEWELL LLP
 1601 ELM STREET, SUITE 3000
 DALLAS, TX 75201-4761

DOCKETED
Missing Parts
 DUE 8/03/04

Date Mailed: 06/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$219 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$669 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$219

09/07/2004 JBALINAN 00000044 10804853

01 FC:2001
 02 FC:2051

385.00 OP
 65.00 OP

09/07/2004 JBALINAN 00000044 10804853

129.00 OP
 90.00 OP
 05 FC:2201
 06 FC:2202

- \$129 for 3 independent claims over 3.
- \$90 for 10 total claims over 20.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.
- does not state whether the inventor is a sole or joint inventor.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

FEE TRANSMITTAL

For FY 2004

Effective 01/01/03. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$ **764.00**

METHOD OF PAYMENT (Check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:
Deposit Account Number: 07-0153
Deposit Account Name: Gardere Wynne Sewell LLP

The Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	770	2001	385	Utility filing Fee	\$ 385.00
1002	340	2002	170	Design filing fee	\$
1003	530	2003	265	Plant filing fee	\$
1004	770	2004	385	Reissue filing fee	\$
1005	160	2005	80	Provisional filing fee	\$
SUBTOTAL (1)					\$ 385.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	30	- 20**	= 0 x	9.00	= \$	<u>90.00</u>
Independent Claims	6	- 3**	= 0 x	43.00	= \$	<u>129.00</u>
Multiple Dependent				280.00	= \$	

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent Claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ **219.00**

** or number previously paid, if greater; For Reissues, see above

Complete if Known

Application Number	10/804,853
Filing Date	March 19, 2004
First Named Inventor	Cricket Lee
Examiner Name	Not Yet Assigned
Group Art Unit	3765
Attorney Docket Number	128521-1000

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	\$ 65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
18042	920*	1804	920*	Requesting publication of SIR prior to Examiner action	\$
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	\$
1251	110	2251	55	Extension for reply within first month	\$ 55.00
1252	420	2252	210	Extension for reply within second month	\$
1253	950	2253	475	Extension for reply within third month	\$
1254	1,480	2254	740	Extension for reply within fourth month	\$
1255	2,010	2255	1,005	Extension for reply within fifth month	\$
1401	330	2401	165	Notice of Appeal	\$
1402	330	2402	165	Filing a brief in support of an appeal	\$
1403	290	2403	145	Request for oral hearing	\$
1451	1,510	1452	1,510	Petition to institute a public use proceeding	\$
1452	110	2452	55	Petition to revive - unavoidable	\$
1453	1,330	2453	665	Petition to revive - unintentional	\$
1501	1,330	2501	665	Utility issue fee (or reissue)	\$
1502	480	2502	240	Design issue fee	\$
1503	640	2503	320	Plant issue fee	\$
1460	130	1460	130	Petitions to the Commissioner	\$
1807	50	1806	50	Processing fee under 37 CFR 1.17(g)	\$
1806	180	1806	180	Submission of Information Disclosure Stmt	\$
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$ 40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	\$
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	\$
1801	770	2801	385	Request for Continued Examination (RCE)	\$
1802	900	1802	900	Request for expedited examination of a design application	\$

Other fee (specify) \$

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ **160.00**

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Monique A. Vander Molen	Registration No. (Attorney/Agent)	53,716	Telephone	(214) 999-4330
Signature	<i>Monique A. Vander Molen</i>			Date	Aug. 25, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-OPTO-9199 (1-800-786-9199) and select option 2.